

Message

From: Kler, Denis [Kler.Denis@epa.gov]
Sent: 8/31/2022 8:00:25 PM
To: jason.howanitz@jcdh.org
CC: Rieck, Stephen [Rieck.Stephen@epa.gov]
Subject: RE: Jefferson County SRF CAA, File #25 Bluestone

Jason,

The HPV policy indicates that the action has to be addressed within 180 days from day zero, and if not then a case development and resolution timeline has to be developed and put in place by day 225. Can you please provide me a copy of the case development and resolution timeline that was put in place for this case?

Thank you.

Denis

Denis B. Kler
U.S. EPA Region 4
Enforcement and Compliance Assurance Division
Policy, Oversight and Liaison Office
Phone: 404-562-9199

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From: Howanitz, Jason <Jason.Howanitz@jcdh.org>
Sent: Wednesday, August 31, 2022 2:41 PM
To: Kler, Denis <Kler.Denis@epa.gov>
Subject: RE: Jefferson County SRF CAA, File #25 Bluestone

- 1) There were two different compliance inspections (code as FCE on our side). One was a FLIR inspection of the plant and the other was a traditional inspection minus the FLIR. We could consolidate them into one if you all want to but I try to capture all events so the public sees what is being done. It was more in depth than just showing up like a PCE (which I don't enter but the system will upload those when it works).
- 2) No clue. We were not in the office during that time and I was working COVID testing site 5-6 days a week so it must have been missed on my part. I was pretty busy doing press and public info on this NOV.
- 3) That NOV is still part of current litigation which EPA is not a party to. I am sure there is plenty of info out there in the news. I know I have kept Steve up to date on what I can as far as filings. I will see if I can get legal to send me short summary.
- 4) JCDH has never been instructed to input warning letters into ICIS or report those to EPA prior. JCDH has always understood it to be when an NOV is issued and has stayed consistent with that process until instructed otherwise.

Hopefully that helps.

Thanks

Jason Howanitz, MSCE, PE
Principal Air Pollution Control Engineer
Air and Radiation Protection Division
205-930-1284

From: Kler, Denis <Kler.Denis@epa.gov>
Sent: Wednesday, August 31, 2022 12:55 PM
To: Howanitz, Jason <Jason.Howanitz@jcdh.org>
Cc: Rieck, Stephen <Rieck.Stephen@epa.gov>
Subject: Jefferson County SRF CAA, File #25 Bluestone

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Jason,

A few questions about the Bluestone file.

- 1) ICIS has two FCEs listed one on 9/14/2020 and the other on 9/30/2020. Could you provide information as to why there are two FCEs listed in ICIS?
- 2) A NOV was issued on 7/15/2020. This NOV is not in ICIS. Could you provide information as to why the NOV is not listed in ICIS?
- 3) How was the NOV resolved? Was a release agreement issued with a civil penalty?
- 4) Reviewing the file, I noticed that several warning letters (informal enforcement actions) were issued to the company. None of the warning letters are listed in ICIS. Could you provide information as to why the warning letters are not listed in ICIS?

Thank you
Denis

Denis B. Kler
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